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LEON L. NOWALSKY
EDWARD P. GOTHARD

August 5, 2016

Via Fedex and Email
to mconnolly@az.cc.gov

Docket Control Center
Utilities Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

RE: XYN Communications, LLC
Docket No. T-20968A-16-0158
Responses to Staff's Data Request No. 2

RECEIVED
AZ CORP COMMISSION
DOCKET CONTROL
2016 AUG - 9 A 11:43

Dear Sir or Madam:

Please find enclosed for filing an original and thirteen (13) copies of the Responses to Staff's Data Request No. 2 in the above matter.

An additional copy of this letter has been enclosed to be date-stamped and returned in the envelope provided as evidence of the filing.

Should you have any questions, please feel free to contact me.

Sincerely,

Leon Nowalsky
Counsel for XYN Communications, LLC

Arizona Corporation Commission
DOCKETED

AUG 09 2016

LLN/rph
Enclosure



In addition to a paper response, all information responses should also be provided in searchable PDF, DOC or EXCEL files via email or electronic media.

For each answer, please identify by name, title, and address each person providing information that forms the basis for the response provided.

Please make sure each numbered item and each part of the item is answered completely

STF 2.1 In follow-up to Response 1.3, does XYN understand that if it plans to resell the services of NuWave Communications or Avalon Telecom Services in Arizona, NuWave or Avalon will first have to obtain a CC&N for telecommunications services from the Arizona Corporation Commission?

Response: Yes.

STF 2.2 As part of its Report for possible approval of a CC&N in Arizona, Staff needs to determine the length of time served and expertise in the telecommunications industry of the applicant's officers and management team. Therefore, in follow-up to Response 1.4, please provide current resumes for all such personnel for XYN Communications, LLC. If this includes Mr. Bunnell, please provide an updated resume that includes his current position with XYN. If this includes Mr. Sims, please provide an updated resume reflecting his current position with XYN.

Response: Please find attached resumes of the officers and management team of XYN, including updated information on Mr. Sims and Mr. Bunnell relative to their current roles at XYN as Exhibit 1.

STF 2.3 In follow-up to Response 1.8, if XYN's facilities are located in Nevada, how will the company transport the local exchange traffic of its Arizona customers?

Response: The Company will locate in Arizona CLLI Code boxes (ADTRAN 50000) which will route calls to their out of state switch. In addition, the Company has entered into a Resale Agreement with Level 3 Communications, for the resale of local exchange services.

STF 2.4 In follow-up to Response 1.10, does the Company understand that if it wants to resell telecommunications in the future it will need to request for an expansion of its CC&N authority in Arizona before it can offer that service to customers in Arizona? If the company has definitive plans to do so, Staff reminds XYN that it can submit an amended application requesting Resold Local Exchange Telecommunications Services in this case.

Response: Yes, the Company wishes to resell telecommunications services and has amended its CC&N application to include the provision of Resold Local Exchange Telecommunications Services. Please find attached as Exhibit 2.

STF 2.5 In follow-up to Response 1.16, if XYN has no current plans to offer interexchange services in Arizona, Staff requests that it remove this service offering from its proposed Arizona tariff specifically in sections 3.10.1 and 3.11.2.. Again, if the company has definitive plans to do so, Staff reminds XYN that it can submit an amended application requesting Resold Long Distance Telecommunications Services in this case.

Response: The Company does not currently plan to offer interexchange services in Arizona. If its business plan changes in the future, they will seek expansion of their authority. Please see revised tariff pages in Exhibit 3 attached.

STF 2.6 Please explain how an Arizona Local Exchange customer can contact the Company for customer service and/or make a request for maintenance and repair. How will the company respond to such requests for Arizona customers if it does not plan to have any employees in Arizona?

Response: The customer may dial the toll free number 888-599-6996 where they will be connected to a support staff member who will attempt to address the call. If it is technical support related, the information will be forwarded to third party vendors who will physically service the location. The Company has a Resale agreement in place for Level 3 Communications and may obtain additional underlying carrier agreements in Arizona.

EXHIBIT 1

Resume updates for Management of XYN Communications, LLC

Shawn Sims

May 2016-present Director, Governmental Affairs, Federal and State Regulation
XYN Communications, LLC

Oversees Federal Communications Commission compliance, management of Federal contracts, State and Local regulatory compliance

Mark Bunnell

May 2016-present Director, Network Design/Operations
XYN Communications, LLC

Manage technical aspects of telecommunications network design and oversee network creation and continuing operations.

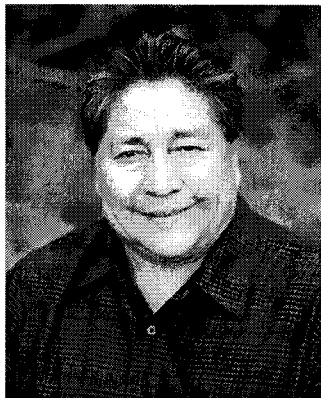
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Randy Tobey

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Profile Picture

Randy Tobey



Randy Tobey is president of XYN Communications. He has over 20 years of experience in business development including project management, contract administration, construction, commercial development and renewable energy. Mr. Tobey is a member of the National Congress of American Indians and the Pyramid Lake Paiute Tribe.

Randy Tobey
President



Pyramid Lake Paiute
Tribe



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Joseph Valandra

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Joseph Valandra
Chief Executive
Officer

[Rosebud Sioux Tribe](#)

Joseph Valandra is a member of the Rosebud Sioux Tribe of South Dakota. Joe has over 25 years of business experience including an extensive background in investment banking as well as managing public, private and government operations. He is a leading expert in the area of Class II tribal gaming. Joe served for two years as the Chief of Staff of the National Indian Gaming Commission (NIGC) in Washington, DC. As Chief of Staff, he was integrally involved in implementing the policies of the Commission; directing, supervising, and evaluating employees; and guiding the analysis, formulation, and dissemination of policy and priorities to all Commission constituencies including Tribes, Congress, other federal agencies, state governments, professional organizations, and trade associations.

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Jack Thompson

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Jack Thompson
Chief Finance
Officer



Jack Thompson is a Senior Business Development Executive who combines an entrepreneurial spirit with the competitive drive, discipline & leadership of a former NFL Quarterback and has a proven track record of developing strategies and programs to drive growth and market share. Jack has a broad and diversified business background in Sales, Sales Management, Marketing and Vendor Relations resulting in multi-million dollar business successes from Food Staples to Mortgage Lending & Private Banking.

American Samoan



EXHIBIT 2

ARIZONA CORPORATION COMMISSION

**Application and Petition for Certificate of Convenience and Necessity to Provide
Intrastate Telecommunications Services**

Mail original plus 13 copies of completed application to: For Docket Control Only:
(Please Stamp Here)

Docket Control Center
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007-2927

Please indicate if you have current applications pending
in Arizona as an Interexchange reseller, AOS provider,
or as the provider of other telecommunication services.

Type of Service: _____

Docket No.: _____ Date: _____ Date Docketed: _____

Type of Service: _____

Docket No.: _____ Date: _____ Date Docketed: _____

A. COMPANY AND TELECOMMUNICATION SERVICE INFORMATION

(A-1) Please indicate the type of telecommunications services that you want to provide in Arizona and mark the appropriate box(s).

- ☐ Resold Long Distance Telecommunications Services (Answer Sections A, B).
- ☒ Resold Local Exchange Telecommunications Services (Answer Sections A, B, C).
- ☐ Facilities-Based Long Distance Telecommunications Services (Answer Sections A, B, D).
- ☒ Facilities-Based Local Exchange Telecommunications Services (Answer Sections A, B, C, D, E)
- ☐ Alternative Operator Services Telecommunications Services (Answer Sections A, B)
- ☐ Other _____ (Please attach complete description)

(A-2) The name, address, telephone number (including area code), facsimile number (including area code), e mail address, and World Wide Web address (if one is available for consumer access) of the Applicant:

XYN Communications, LLC
8275 Eastern Ave. #200
Las Vegas, NV 89123
Phone (888) 599-6996
Fax (702) 529-0414
www.xyncom.com
support@xyncom.com

EXHIBIT 3

INTRASTATE LOCAL TELEPHONE SERVICE

3.10 PRI Service (Inbound and Outbound)

The Company's PRI Service is offered to business customers for inbound and outbound calling. Additional phone numbers, including multiple rate centers (NPA/NSS) may be added.

Technical information:

23B channels and 1D channel delivered either via DS-1 or multiplexed DS-3. NFAS and NFAS with backup are available when using 2 or more PRIs. Includes PRI compatibility.

3.10.1 This section has been intentionally left blank.

3.10.2 This section has been intentionally left blank.

3.10.3 This section has been intentionally left blank.

ISSUED:

EFFECTIVE:

ISSUED BY:

Shawn Sims, Manager
XYN Communications, LLC
8275 Eastern Ave. #200
Las Vegas, NV 89123

INTRASTATE LOCAL TELEPHONE SERVICE

3.11 Analog Line Service

The Company's Analog Line Service is offered to business and residential customers for inbound and outbound calling. This service includes the cost of transport from the serving CO to the demarc at the Customer's premise.

Technical Information:

2 wire analog loop start interface. Includes calling number ID, call waiting, 3 way calling, call forwarding and distinctive ring.

3.11.1 This section has been intentionally left blank.

3.11.2 This section has been intentionally left blank.

ISSUED:

EFFECTIVE:

ISSUED BY: Shawn Sims, Manager
XYN Communications, LLC
8275 Eastern Ave. #200
Las Vegas, NV 89123